



Planning Commission Agenda

September 8, 2021

VB City of
Virginia Beach

The Virginia Beach Planning Commission Public Hearing is carried LIVE on VBTv, which is available on Cox Cable Channel 48, Verizon Cable Channel 45 and on VBgov.com's Media Center webpage at <http://www.vbgov.com/media/pages/videos.aspx>. The meeting is recast on Cox Channel 48 and Verizon Channel 45 the following morning at 9 a.m. and on Cox Channel 47 and Verizon Cable Channel 47 at 7 p.m. on the two consecutive Fridays following the live meeting. The meeting will also be available on the Media Center webpage for two months beginning the Friday after the live hearing.

Planning Commission Hearing Procedures

A Public Hearing of the Virginia Beach Planning Commission will be held on **Wednesday, September 8, 2021 at 12:00 p.m. in the Council Chamber at City Hall, Building 1, 2nd Floor at 2401 Courthouse Drive, Virginia Beach, VA 23456**. Members of the public will be able to observe the Planning Commission meeting through livestreaming on www.vbgov.com, broadcast on VBTv, and via WebEx. Citizens who wish to speak can sign up to speak either in-person at the Council Chamber or virtually via WebEx by completing the two-step process below. A Staff briefing session will be held at 9:00 a.m.. All interested parties are invited to observe.

If you wish to make comments virtually during the public hearing, please follow the **two-step process** provided below:

1. Register for the WebEx at:
<https://vbgov.webex.com/vbgov/onstage/g.php?MTID=eac9d14b3119a769271b55845eb4ba2cf>
2. Register with the Planning Department by calling 757-385-4621 or via email at niGarrido@vbgov.com prior to 5:00 p.m. on September 7, 2021.

Copies of the proposed plans, ordinances, amendments and/or resolutions are on file and may be examined by appointment in the Planning Department at 2875 Sabre St, Suite 500, Virginia Beach, VA 23452 or online at www.vbgov.com/pc. For information call 757-385-4621. Staff Reports will be available on the webpage 5 days prior to the meeting.

If you require a reasonable accommodation for this meeting due to a disability, please call the Planning Department at 757-385-4621. If you are hearing impaired, you can contact Virginia Relay at 711 for TDD service. The meeting will be broadcast on cable TV, www.vbgov.com and Facebook Live.

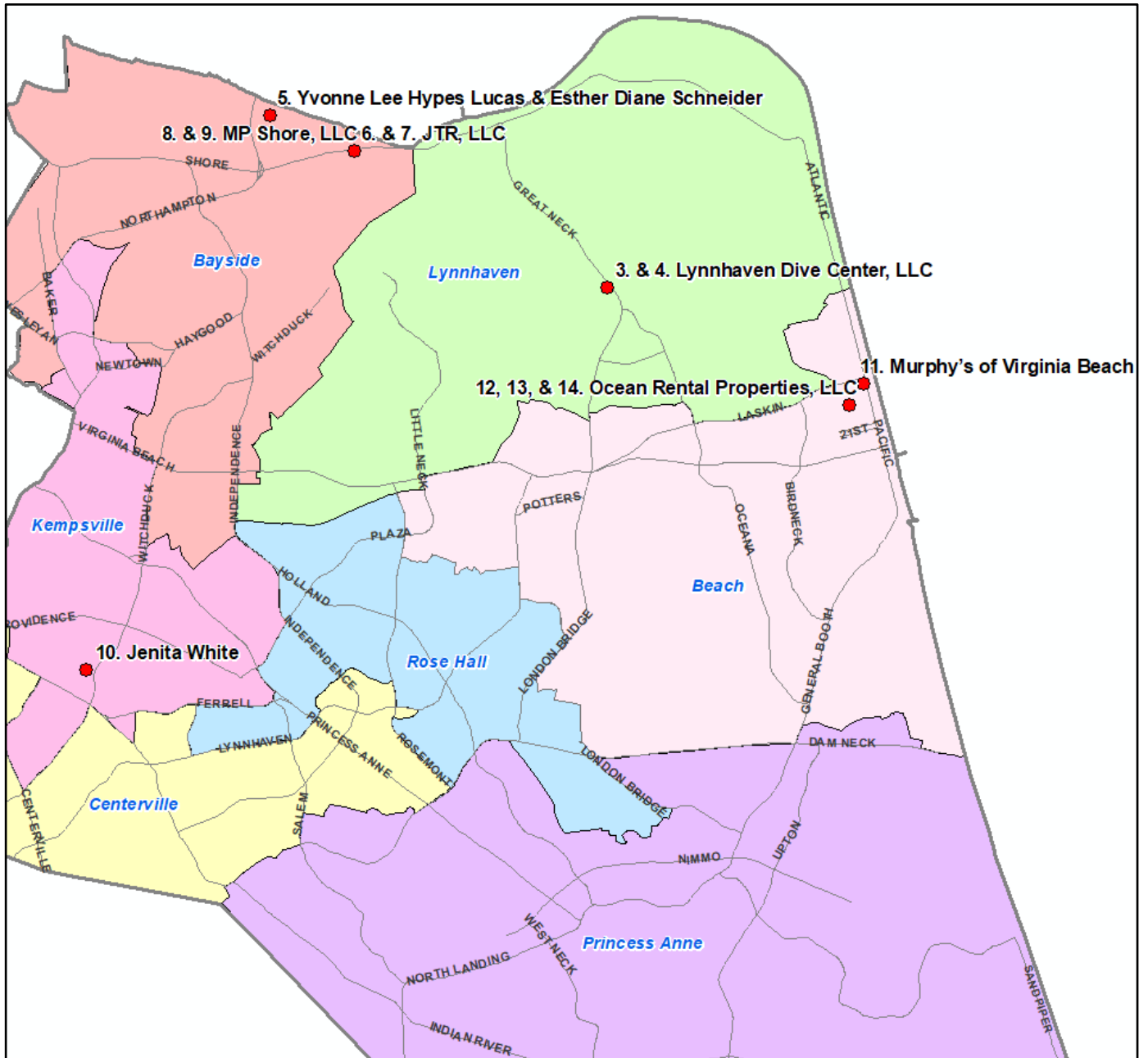
Please check our website at www.vbgov.com/pc for the most updated meeting information.

The following describes the order of business for the Public Hearing.

1. **Withdrawals and Deferrals:** The first order of business is the consideration of withdrawals or requests to defer an item. The Commission will ask those who are signed up to speak at the hearing if there are any requests to withdraw or defer an item that is on the agenda. **Please note the requests that are made, as one of the items being withdrawn or deferred may be the item that you have an interest in.** Please confine your remarks to the deferral or withdrawal request and do not address the issues of the application – in other words, please let the Commission know why deferring or withdrawing the application is unacceptable rather than discussing what your specific issue is with the application.
2. **Consent Agenda:** The second order of business is consideration of the “consent agenda.” The consent agenda contains those items that the Planning Commission believes are unopposed and which have a favorable Staff recommendation. If an item is placed on the Consent Agenda, that item will be heard with other items on the agenda that appear to be unopposed and have a favorable staff recommendation. The Commission will vote on all of the items at one time. Once the Commission has approved the item as part of the Consent Agenda, it is deemed approved and will not be discussed any further.
3. **Regular Agenda:** The Commission will then proceed with the remaining items on the agenda, according to the following process:
 - a. The applicant or applicant's representative will have 10 minutes to present its case.
 - b. Next, those who wish to speak in support to the application will have 3 minutes to present their case.
 - c. If there is a spokesperson for the opposition, he or she will have 10 minutes to present their case.
 - d. All other speakers not represented by the spokesperson in opposition will have 3 minutes.
 - e. The applicant or applicant's representative will then have 3 minutes for rebuttal of any comments from the opposition.
 - f. There is then discussion among the Commission members. No further public comment will be heard at that point.
 - g. The Commission does not allow slide or computer generated projections other than those prepared by the Planning Department Staff.
 - h. The Commission asks that speakers not be repetitive or redundant in their comments. Petitions may be presented and are encouraged. If you are part of a group, the Commission requests, in the interest of time, that you use a spokesperson.

Planning Commission action is not a final determination regarding the application, but only a recommendation to the City Council of the viewpoint of the Planning Commission. Final determination of the application will be made by City Council at a later date after public notice in the Virginian Pilot/Beacon.

SEPTEMBER 8, 2021
PLANNING COMMISSION AGENDA



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**A.
COMMENTS BY DIRECTOR OF PLANNING AND CHAIR OF COMMISSION**

**B.
BRIEFINGS**

Flood Protection Program, Ronald H. Williams, Jr., Deputy City Manager

12:00 P.M. – PUBLIC HEARING

1. City of Virginia Beach APPROVAL (COUNCIL on October 5) – City of Virginia Beach – An Ordinance to amend Section 602 of the City Zoning Ordinance pertaining to dimensional requirements in Apartment Districts.

2. City of Virginia Beach APPROVAL (COUNCIL on October 5) – An Ordinance to amend Section 1306 of the City Zoning Ordinance to add Assembly Uses as Conditional Uses in the Historic & Cultural Districts.

3. & 4. APPROVAL (COUNCIL on October 5)
Lynnhaven Dive Center, LLC (Applicant)
Blue Water Properties, LLC & SLMD, LLC (Property Owners)

Conditional Use Permit (Vocational School)
Subdivision Variance (Section 4.4(b) of the Subdivision Regulations)

Addresses: 2204 Poplar Point Road, 1413 N Great Neck Road

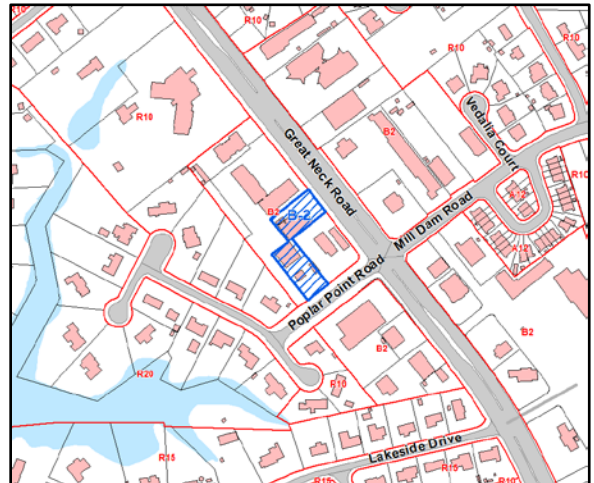
GPIN(s): 2408185645, 2408185832

Council District: Lynnhaven

Accela Records: 2021-PCCC-00176, 2021-PCCC-00191

Staff Planner: Hoa N. Dao

Request to operate a 9,000 sf facility for diving training and certification.



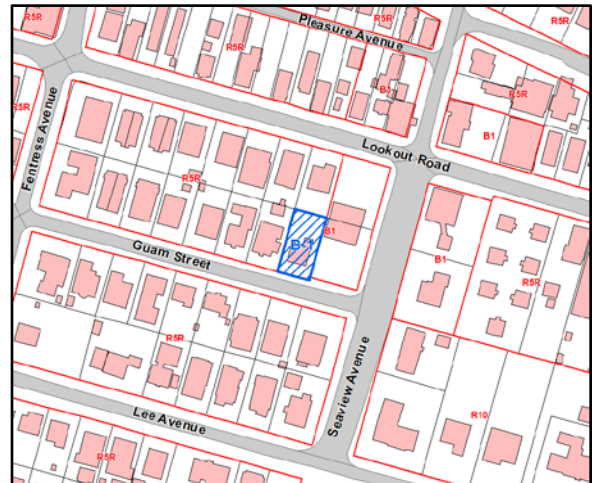
5. APPROVAL (COUNCIL on October 5)

Yvonne Lee Hypes Lucas & Esther Diane Schneider, Co-Executrixes of the Estate of Varenia Craig Hypes Ryan (Applicants)
Ryan Varenia H. Estate (Property Owner)

Rezoning (B-1 Business District to R-5R Residential Resort District)

Address: 4504 Guam Street
GPIN(s): 1570618235
Council District: Bayside
Accela Record: 2021-PCCC-00178
Staff Planner: Hoa N. Dao

Request to rezone a 4,945 sf parcel from B-1 Business to R-5R Residential where a nonconforming single-family dwelling exists.



6. & 7. APPROVAL (COUNCIL on October 19)

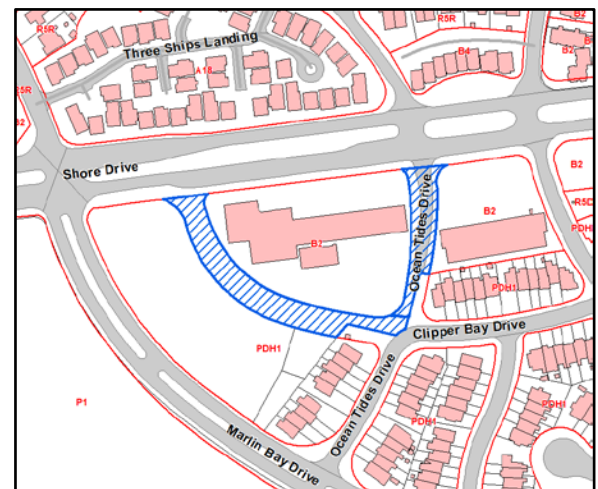
JTR, LLC (Applicant) **JTR, LLC; Bayliner Building, LLC; & Shore Drive Area Properties** (Property Owners)

Street Closures

Adjacent Address: Portion of Ocean Tides Drive, south of Shore Drive and north of Clipper Bay Drive, and a portion of Clipper Bay Drive right-of-way south of Shore Drive and west of Ocean Tides Drive

Adjacent GPIN(s): 1489289631, 1489286485, 1489382674, 1489289308
Council District: Bayside
Accela Records: 2020-PCCC-00315, 2020-PCCC-00316
Staff Planner: Hoa N. Dao

Requests to close a portion of Ocean Tides Drive and Clipper Bay Drive in conjunction with a proposal to redevelop the site with an apartment complex.



8. & 9. APPROVAL (COUNCIL on October 19)

MP Shore, LLC (Applicant)

**JTR, LLC; Bayliner Building, LLC; Shore Drive
Area Properties, LLC; & City of Virginia Beach
(Property Owners)**

Conditional Change of Zoning (B-2 and PD-H1 Districts to Conditional B-4 Mixed Use District)

Conditional Use Permit (Multi-Family Dwellings)

Addresses: 3829 & 3785 Shore Drive, adjacent parcel between Marlin Bay Drive and 3829 Shore Drive

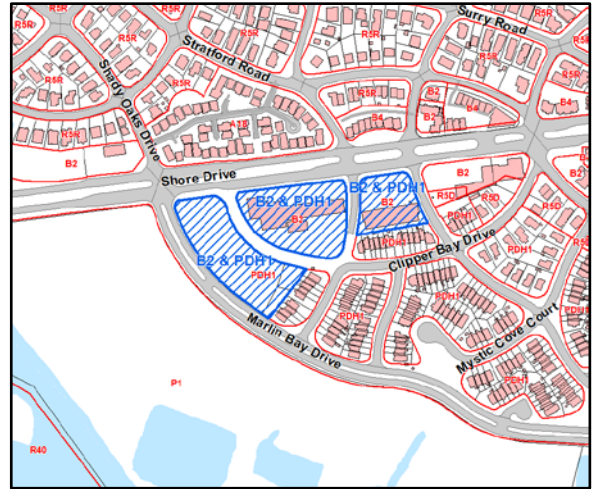
GPIN(s): 1489286485, 1489288247, 1489289308, 1489289631, 1489382674

Council District: Bayside

Accela Record(s): 2020-PCCC-00122, 2020-PCCC-00123

Staff Planner: Hoa N. Dao

Requests to rezone 6.2 acres from B-2 & PD-H1 to B-4 and to construct 197 multi-family dwellings at an approximate density of 31.77 units per acre.



10. APPROVAL (COUNCIL on October 5)

Jenita White (Applicant & Property Owner)

Conditional Use Permit (Family Day-Care Home)

Address: 1109 Malcoms Way

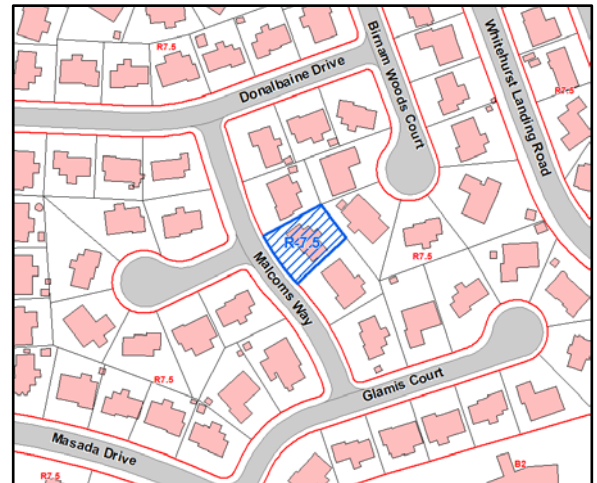
GPIN(s): 1466304744

Council District: Kempsville

Accela Record: 2021-PCCC-00173

Staff Planner: Antionette Fowlkes

Request to operate a Family Day-Care Home for up to 12 children within a single-family residence.



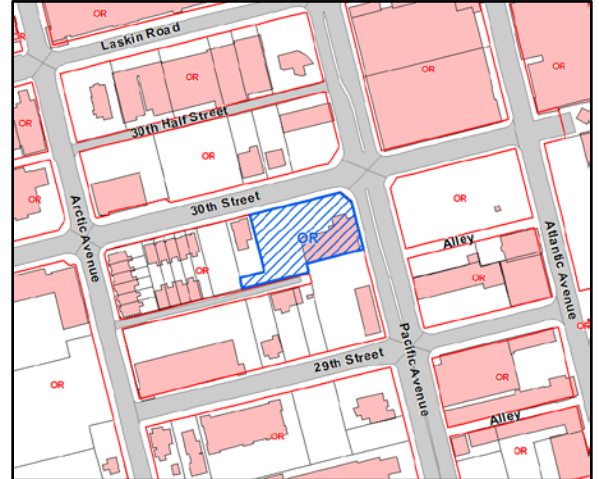
11. APPROVAL (COUNCIL on October 19)

Murphy's of Virginia Beach (Applicant)
Stephen Yuen Yee Family, LLC (Property Owner)

Alternative Compliance

Address: 2914 Pacific Avenue
GPIN(s): 2428013605
Council District: Beach
Accela Record: 2021-PCCC-00125
Staff Planner: Hank Morrison

Request for ability to host fundraisers, movie nights, and other reoccurring outdoor events.



SHORT TERM RENTALS

12, 13, & 14. WITHDRAWN

Ocean Rental Properties, LLC (Applicant & Property Owner)

Conditional Use Permit (Short Term Rental)

Address: 525 26th Street, Units 1, 2 & 3
GPIN(s): 2418902100
Council District: Beach
Accela Record(s): 2019-PCCC-00313/00314/00315
Staff Planner: Will Miller

Request for 2, 2-bedroom and 1, 3-bedroom Short Term Rentals.

